

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 1-year Finding for a Petition To List Four Plant Species Under the Endangered Species Act

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 1-year petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service), under the Endangered Species Act of 1973, as amended (Act), announces a 1-year finding on a petition to add four plant species, *Amsinckia carinata* (Malheur Valley fiddleneck), *Eriogonum crosbyae* (Crosby's buckwheat), *Ivesia rhyppawra* var. *rhyppara* (grimy ivesia), and *Senecio ertterae* (Ertter's senecio), to the List of Endangered and Threatened Plants. After review of all available scientific and commercial information, the Service determines that listing is not warranted for any of the four species under consideration at this time.

The limited distribution of these plants could make them vulnerable to mining or grazing; however, these activities are not imminent threats to the plants at this time. *Ivesia rhyppara* var. *rhyppara* and *Senecio ertterae* are the subject of conservation agreements with the Bureau of Land Management in Oregon. In the event that the protective measures envisioned by the conservation agreements and by the land managing agencies are not successful, the Service could list these species at a later date.

DATES: The finding announced in this notice was made on April 21, 1993. Comments and information may be submitted until further notice.

ADDRESSES: Comments and materials regarding the petition finding may be submitted to the Field Supervisor, Boise Field Office, U.S. Fish and Wildlife Service, 4696 Overland Road, room 576, Boise, Idaho 83705. The petition, finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Robert L. Parenti, at the above address (208/334-1931).

SUPPLEMENTARY INFORMATION:**Background**

Pursuant to section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (Act), for any petition to revise

the Lists of Endangered and Threatened Wildlife and Plants that presents substantial scientific and commercial information, the U.S. Fish and Wildlife Service (Service) is required to make a finding within 12 months of the date of the receipt of the petition on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals of higher priority. Section 4(b)(3)(C) requires that petitions for which the requested action is found to be "warranted but precluded" should be treated as though resubmitted on the date of such finding, i.e., requiring a subsequent finding to be made within 12 months.

On October 8, 1991, the Service received a petition dated October 7, 1991, from Stu Garrett, to list *Amsinckia carinata*, *Eriogonum crosbyae*, *Ivesia rhyppara* var. *rhyppara*, and *Senecio ertterae* as endangered. A 90-day finding that the petition presented substantial information that the requested action may be warranted was announced on the Federal Register on November 19, 1992 (57 FR 54547).

On the basis of the best available scientific and commercial information, the Service finds that listing *Amsinckia carinata*, *Eriogonum crosbyae*, *Ivesia rhyppara* var. *rhyppara*, and *Senecio ertterae* as endangered is not warranted at the present time.

Amsinckia carinata is a synonym of *A. vernicosa* ssp. *vernica*, a species that the Service considers too widespread and abundant for consideration for Federal listing (55 FR 6187). *Eriogonum crosbyae*, *Ivesia rhyppara* var. *rhyppara*, and *Senecio ertterae* may face threats from mining, grazing, and other factors; however, the risks to these three species from these threats are currently low. Although mining claims exist, they are not as extensive as originally thought. The declining trend in mining activity is expected to continue as claim holding fees have been raised, and mineral exploration has become less profitable. In addition, the petitioned species occur on substrates that possess low mineral potential.

Grazing occurs at *Ivesia rhyppara* var. *rhyppara* and *Senecio ertterae* sites in Oregon; however, no information indicates that impacts from grazing are extensive enough to affect the survival of the species at the present time. The Service does not expect mining, grazing, or other factors to occur so quickly or extensively, as to pose substantial, immediate threats to the three species in question.

The Service currently considers threats to *Eriogonum crosbyae*, *Ivesia rhyppara* var. *rhyppara*, and *Senecio ertterae* to be low. Listing these species as either endangered or threatened is not appropriate at this time because they are not presently in danger of extinction or expected to become so in the foreseeable future. In the event that conditions change and the species become imperiled due to factors mentioned in the petition or other unforeseen factors, the Service could list these species as endangered or threatened under the Act. The Service will continue to provide technical assistance to State and Federal agencies to address the conservation needs of the above species.

Authors

The primary authors of this notice are Robert Parenti and Diana Hwang (See ADDRESSES section above).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Dated: April 21, 1993.

Richard N. Smith,

Acting Director, U.S. Fish and Wildlife Service.

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50 CFR Part 17

RIN 1018-AB42

Endangered and Threatened Wildlife and Plants; Proposed Determination of Endangered Status for Argali in Kyrgyzstan, Mongolia, and Tajikistan

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to determine endangered status for the argali (*Ovis ammon*), a wild sheep, in Kyrgyzstan, Mongolia, and Tajikistan. The species currently is classified as threatened in those three countries and as endangered in all other parts of its range. The threatened classification, and a current special rule governing trophy importation from Kyrgyzstan, Mongolia, and Tajikistan, now appear inadequate to provide for the protection of the species. The Service seeks relevant data and comments from the public. The

comments and other available information will be evaluated, and such review may lead to withdrawal or to a final rule that differs substantially from this proposal. In particular, should sufficient data be received, the final rule could maintain threatened status for the argali in one or more of the involved countries, and incorporate a revised special rule providing for limited importation.

DATES: Comments must be received by October 25, 1993. Public hearing requests must be received by June 11, 1993.

ADDRESSES: Comments, information, and questions should be submitted to the Chief, Office of Scientific Authority; Mail Stop: Arlington Square, room 725; U.S. Fish and Wildlife Service; Washington, DC 20240 (Fax number 703-358-2276). Express and messenger-delivered mail should be addressed to the Office of Scientific Authority; room 750, 4401 North Fairfax Drive; Arlington, Virginia 22203. Comments and materials received will be available for public inspection, by appointment, from 8 a.m. to 4 p.m., Monday through Friday, at the Arlington, Virginia address.

FOR FURTHER INFORMATION CONTACT: Dr. Charles W. Dane, Chief, Office of Scientific Authority, at the above address (phone 703-358-1708).

SUPPLEMENTARY INFORMATION:

Background

The argali (*Ovis ammon*) is the largest species of wild sheep. Its historic range includes Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, southern Siberia, Mongolia, north-central and western China including Tibet, Nepal, and the Himalayan portions of Afghanistan, Pakistan, and India. In a final rule published pursuant to the endangered Species Act of 1973 (Act) in the Federal Register of June 23, 1992 (57 FR 28014-28024), and becoming effective on January 1, 1993, the Service classified the argali as endangered throughout its range, except in Kyrgyzstan, Mongolia, and Tajikistan, where it was designated as threatened. A special rule provided for the limited importation into the United States of argali trophies taken legally in Kyrgyzstan, Mongolia, and Tajikistan, once the Service had received from the governments of those countries properly documented and verifiable certification that: (1) Argali populations are sufficiently large to sustain sport hunting; (2) regulating authorities have the capability to obtain sound data on these populations; (3) regulating authorities recognize these populations as a valuable resource and